IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8445 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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HARIOM PETROLEUM SERVICE - Petitioner(s)

Versus

STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :

MR HR PRAJAPATI for Petitioner(s) : 1,
Ms. Archana Raval, AGP for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 16/02/2006

ORAL JUDGMENT

After the matter is fully argued, Shri Prajapati, learned advocate appearing for the petitioner seeks permission to withdraw the present Special Civil Application. Permission is

accordingly granted. However, before parting with, this Court is constrained to observe about the conduct and/or the order passed by the Deputy Secretary, which is impugned in the present Special Civil Application and which is not even appreciated as to on what basis the confiscation order passed by the first authority is modified and quantity is reduced more particularly when serious charges against the petitioner were proved. However, as the petitioner is withdrawing the present Special Civil Application, no order is passed. The petition is dismissed as withdrawn. Rule is discharged. Ad-interim relief stands vacated forthwith.

[M.R. Shah, J.]

RMR.